

Serial No.: 10/796,726
Inventor(s): Keshavaraj, Ramesh

U.S. PTO Customer No. 25280
Case No.: 5714

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REMARKS

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Claims 1, 7, 12-15, and 18-23 were rejected under 35 U.S.C. 102(a) as being anticipated by Soriano et al. (GB 2390574 A). Independent Claims 1, 7, 12, 19 and 23 have been amended to include the feature of an intermediate panel; therefore, it is believed that this rejection has been obviated. Claim 18 has been canceled.

Claims 2 and 8 were rejected under 35 USC 103(a) as being obvious over Soriano, because the Examiner contended that Soriano teaches woven fabrics. Claims 2 and 8 as currently presented recite an airbag cushion having front and rear panels (non-circular in Claim 1, from which Claim 2 depends, and polygonal in Claim 7, from which Claim 8 depends), with the panels being oriented such that perpendicularly arranged yarns in the respective front and rear panels are positioned at a bias relative to those in the other panel, and that the panels are joined together by ways of a peripheral side panel extending between the front and rear panels. Claims 2 and 8 further recite that the front and rear panels comprise a fabric selected from the group consisting of woven fabrics, weft inserted fabrics, weft inserted warp knit fabrics, warp or weft laid fabrics, needlepunched fabrics, and combinations thereof. As noted by the Examiner, Soriano fails to teach or even suggest the provision of a peripheral side panel; therefore it is believed that this rejection has been obviated.

Claims 4-6, 9-11, 16, 17, and 21 were rejected under 35 USC 103(a) as being unpatentable over Siroano et al (GV 2390574 A) in view of Lewis (EP 0786382A1). Specifically, the Examiner acknowledges that Soriano doesn't teach rounded corners or concave sides or a peripheral side panel, but determines that the side panel would have been obvious based on the Lewis teaching. Applicant respectfully disagrees. Lewis describes an airbag designed to minimize waste fabric and labour, to render it more amenable to automated manufacturing, and to reduce stress concentrations during inflation and impact. (Abstract.) To this end, Lewis provides a rectangular main body panel with a mouth opening, and loops this rectangular main body panel around itself and secures it together to form a two ply area. (Col. 2, lines 43-46.) Two end panels (14a, 14b) are sewn to the sides of the main panel. (Col. 2, lines 48-48.) As illustrated in Fig. 3, the passenger-contacting surface of the bag is formed by the rectangular main body panel, rather than the rectangular panel providing a juncture between the front and rear panels designed to provide extra bag depth, as in the case of the instant invention. .) In order to establish a *prima facie* case of obviousness there must be some suggestion or motivation that would lead to the claimed invention. The suggestion or motivation may derive

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from the references themselves or from the knowledge generally available to those of skill in the art. In addition, all the claim limitations must be taught or suggested by the prior art (MPEP §2142). In the present case, Applicant contends that there is no motivation in the references to combine the teachings of the two patents, absent Applicant's disclosure. The bags have completely different configurations, and there would be no motivation for someone to take the offset two panel bag construction of Soriano (where one panel contacts the passenger, and the other has the mouth in it and is secured to the vehicle) and combine it with the construction of Lewis, where the rectangular piece is actually the main bag panel (and if combined with Soriano, would actually wrap around the front and rear panels rather than extend between them.)

Therefore, it is respectfully requested that the rejection be withdrawn.

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CONCLUSION

Applicants respectfully submit that the claims are in condition for allowance, and a notice to that effect is earnestly solicited. Should the Examiner find that any issues remain outstanding following consideration of this Response, she is invited to telephone the undersigned in the interest of resolving such matters in an expedient manner.

Respectfully submitted,


Sara M. Current
Reg. No. 38,057

Milliken & Company, M-495
920 Milliken Road
P.O. Box 1926
Spartanburg, SC 29304
Telephone: (864) 503-1596
Facsimile: (864) 503-1999